



Entered on Docket  
December 10, 2010

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

BARRY LEVINSON & ASSOCIATES  
BARRY LEVINSON, ESQ.  
Nevada Bar No.: 006721  
JEREMY MONDEJAR, ESQ.  
Nevada Bar No.: 11213  
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Attorney for Debtor

E-FILED: 12/6/10

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:	)	Case No. BKS-10-21401-LBR
	)	Chapter 13
<b>RENE VALENCIA</b>	)	
	)	Debtor(s).
	)	Hearing Date: 11/18/10
	)	Hearing Time: 3:00 pm
	)	
	)	
	)	

**ORDER FOR CRAMDOWN**

This matter having come on regularly for hearing on Debtors' Motion to Value Collateral, "Strip Off", "Cramdown" and Modify Wells Fargo Home Mortgage as against Debtors' rental property; good cause appearing therefore,

1. IT IS HEREBY ORDERED that the security interest of Wells Fargo Home Mortgage in the rental property commonly known as 6408 N. 67<sup>th</sup> Dr., Glendale, AZ 85303, legally described as:  
ROMERO ESTATES Lot 52 UNIT 2 MCR 582-25

1 APN 144-04-347, (hereinafter the "Property").

2 2. Shall be avoided under 11 U.S.C. Sec 506(d) and set aside and that the  
3 claim of such creditor(s) in these bankruptcy proceedings shall be treated as  
4 unsecured.

5 IT IS FURTHER ORDERED that certain Deed of Trust recorded in the  
6 Office of the Clark County Recorder office, conditioned upon Debtors completing  
7 the above-referenced bankruptcy proceeding and obtaining a Chapter 13  
8 discharge, be removed and expunged from the county records and shall thereafter  
9 no longer constitute a lien or encumbrance upon the aforesaid real property.  
10

11 IT IS FURTHER ORDERED that this Order shall not be recorded with the  
12 Office of County Recorder until such time as the Debtors have received his  
13 Chapter 13 Discharge in this matter.  
14

15 IT IS FURTHER ORDERED that nothing contained herein shall alter the  
16 rights of the secured creditor upon dismissal or conversion.

17 IT IS FURTHER ORDERED that in the event the aforesaid property should  
18 be sold at a foreclosure trustee sale, the lawful beneficiary of the aforesaid Deed  
19 of Trust shall be entitled to receive any surplus proceeds in accordance with state  
20 law.  
21

22 Dated: 12/7/10

23 Submitted by:

24 /S/ JEREMY MONDEJAR

25 JEREMY MONDEJAR, ESQ.  
26 Attorney for Debtor  
27  
28

1 Approved as to form and content

2  
3  
4 Kathleen Leavitt,  
Chapter 13 Trustee

5 **FAILED TO RESPOND**

6 Wells Fargo Home Mortgage, C/O REGISTERED AGENT, **FAILED TO**  
7 **RESPOND**

8 **ADMINISTRATIVE ORDER NO. 2010-01**

9 LR 9021(c) is hereby amended to read as follows:

- 10 1) Documents listed in subsection (a) above must be submitted to the court  
11 with the following certification from the submitting counsel:

12 In accordance with Local Rule 9021, counsel submitting this document certifies as  
13 follows:

14 ☐ The Court waived the requirements of LR 9021(b)(1).

15 ☐ No party appeared at the hearing or filed an objection to the motion.

16 ☐ I have delivered a copy of this proposed order to all counsel who  
appeared at the hearing, any unrepresented parties who appeared at  
the hearing, and each has approved or disapproved the order, or failed  
to respond, as indicated below

17 [list each party and whether the party has approved, disapproved, or  
failed to respond to the document]:

18 ☒ I certify that this is a case under Chapter 7 or Chapter 13, that I  
have served a copy of this order with the motion pursuant to LR 9014(g), and  
19 that no parties has objected to the form or content of the order.

20 ####